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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/600,061 | 06/20/2003 | Cesar Z. Lina | VAC.567.1 US | 5656 |
| 6/04/2 7590 06/02/2009 KINETIC CONCEPTS, INC. C/O SONNENSCHN NATH & ROSENTHAL LLP P.O. BOX 061080 WACKER DRIVE STATION, SEARS TOWER CHICAGO, IL 60606 | | | | |
| EXAMINER | | | | |
| HAND, MELANIE JO | | | | |
| ART UNIT | | PAPER NUMBER | | |
| 3761 | | | | |
| MAIL DATE | | DELIVERY MODE | | |
| 06/02/2009 | | PAPER | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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| APPLICATION NO./ CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR / PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
|---------------------------------|-------------|---|---------------------|
| 10600061 | 6/20/2003 | LINA ET AL. | VAC.567.1.US |

EXAMINER

MELANIE J. HAND

| ART UNIT | PAPER |
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3761

20090601

DATE MAILED:

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Commissioner for Patents

1. The reply filed on March 24, 2009 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Applicant has not fully addressed any of the grounds of rejection made in the Office action mailed December 12, 2008 or stated in what aspect the claim amendments distinguish over the prior art of record as is required. See 37 CFR 1.111.
2. The information disclosure statement (IDS) submitted on March 24, 2009 was filed after the mailing date of the non-final action on December 12, 2008. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner. An initialed copy of the IDS is attached hereto.
3. Examiner acknowledges applicant's remarks regarding the pendency of this application. However, the Remarks section of a reply to an Office action is not the appropriate place to request that the status of an application be made special. In light of this incomplete and noncomplaint reply filed after several cycles of prosecution, it appears that applicant's representative is not sufficiently familiar with USPTO procedure to assist in expediting prosecution. The burden of efficient and swift prosecution does not rest solely on the examiner. Further, there exists no patentable subject matter in the claims at this time. Until such time as this occurs, the case will remain pending.
4. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

/Melanie J Hand/
Examiner, Art Unit 3761